

EXHIBIT B

UNITED STATES DISTRICT COURT

for the

____ District of _____
)
)
 v.) Case No.:
)
)
)

BILL OF COSTS

Judgment having been entered in the above entitled action on _____ against _____,
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ _____
Fees for service of summons and subpoena	_____
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	_____
Fees and disbursements for printing	_____
Fees for witnesses (<i>itemize on page two</i>)	_____
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case	_____
Docket fees under 28 U.S.C. 1923	_____
Costs as shown on Mandate of Court of Appeals	_____
Compensation of court-appointed experts	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	_____
Other costs (<i>please itemize</i>)	_____
TOTAL \$ _____	

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

Electronic service First class mail, postage prepaid

Other: _____

s/ Attorney: _____

Name of Attorney: _____

For: _____ Date: _____
 Name of Claiming Party

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

By: _____ Date: _____
 Clerk of Court Deputy Clerk

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
				TOTAL			

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:**RULE 54(d)(1)**

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE RIFLE AND PISTOL)
ASSOCIATION, INC., *et al.*,)
v.)
STEVEN NIGRELLI, IN HIS OFFICIAL)
CAPACITY AS ACTING)
SUPERINTENDENT OF THE)
NEW YORK STATE POLICE, *et al.*,)
Defendants.)

Plaintiffs,)
v.)
Civil Action No.
1:18-cv-00134-BKS-ATB

ITEMIZATION OF COSTS
OF KATHLEEN McCAFFREY BAYNES, ESQ., PLLC

KATHLEEN McCAFFREY BAYNES submits the following itemization of taxable costs in the amount of \$1,122.00 in connection with Plaintiffs' motion for an award of attorney's fees and costs, including the following items:

1. \$400.00 for payment of filing fee in the United States District Court for the Northern District of New York. 28 U.S.C. § 1920(1). (*See Exhibit A at 8; Exhibit B, infra*).
2. \$217.00 for payment to Albany Investigations for service of summons and complaint on each defendant. 28 U.S.C. § 1920(1). (*See Exhibit A at 10; Exhibit B, infra*).
3. \$505.00 for payment of filing fee for notice of appeal to the United States Court of Appeals for the Second Circuit. Fed. R. App. P. 39(e). (*See Exhibit A at 18; Exhibit B, infra*).

Dated: February 6, 2023,



Kathleen McCaffrey Baynes
Kathleen McCaffrey Baynes, Esq., PLLC
1826 Western Avenue
Albany, N.Y. 12203
Phone: (518) 641-0401
kmb@kmbaynes.com

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE RIFLE AND PISTOL)
ASSOCIATION, INC., *et al.*,)
v.)
Plaintiffs,)
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STEVEN NIGRELLI, IN HIS OFFICIAL)
CAPACITY AS ACTING)
SUPERINTENDENT OF THE)
NEW YORK STATE POLICE, *et al.*)
Defendants.)
)

Civil Action No.
1:18-cv-00134-BKS-ATB

AFFIDAVIT OF KATHLEEN McCAFFREY BAYNES

Before me, the undersigned authority, on this day personally appeared Kathleen McCaffrey Baynes, and upon her oath, did depose and state:

1. My name is Kathleen McCaffrey Baynes. I am the proprietor of Kathleen McCaffrey Baynes, Esq., PLLC. I served as Plaintiffs' designated local counsel in this action. I am over the age of 18 years and competent to testify to the matters set forth herein.
2. The items claimed in the Bill of Costs submitted on behalf of Plaintiffs regarding taxable costs of Kathleen McCaffrey Baynes, Esq., PLLC, which total \$1,122.00, are correct. (See Exhibit B at 2.)
3. The costs for which Plaintiffs seek reimbursement in the Bill of Costs submitted on behalf of Plaintiffs regarding taxable costs of Kathleen McCaffrey Baynes, Esq., PLLC, were necessarily incurred.
4. The services for which the fees have been charged were actually and necessarily

performed.



Kathleen McCaffrey Baynes
Kathleen McCaffrey Baynes, Esq., PLLC
1826 Western Avenue
Albany, N.Y. 12203
Phone: (518) 641-0401
kmb@kmbaynes.com
Bar Roll No.: 507154

SWORN TO AND SUBSCRIBED before me
this 6th day of February, 2023



NOTARY PUBLIC FOR STATE OF NEW YORK

My commission expires: 10/3/2026

ANNE D. LYMAN
Notary Public, State of New York
Qual. in Albany Co. No. 4673351
Commission Expires Oct. 31, 2026

From: do_not_reply@psc.uscourts.gov
To: Kathleen McC. Baynes
Subject: Pay.gov Payment Confirmation: NEW YORK NORTHERN DISTRICT COURT
Date: Wednesday, January 31, 2018 1:45:34 PM

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Daniel McAllister at (315) 234-8505.

Account Number: 4384225
Court: NEW YORK NORTHERN DISTRICT COURT
Amount: \$400.00
Tracking Id: ANYNDC-4273520
Approval Code: 03211G
Card Number: ****-****-****0465
Date/Time: 01/31/2018 01:44:40 ET

NOTE: This is an automated message. Please do not reply

Albany Investigation & Process Services, LLC

50 Colvin Avenue
 Suite 203
 Albany, NY 12206
 Phone: 518-438-8987
 Tax ID # 82-3690886


INVOICE
Kathleen McCaffrey Baynes, ESQ PLLC

21 Everett Road Extension
 Suite A-4
 Albany, NY 12205-3357

Invoice 20655

Date	Feb 05, 2018
Terms	
Service Thru	Feb 05, 2018

In Reference To: NYSR&PA v. Beach, et al. (Hour)

Date	Services	Rate	Hours	Amount
Process Service				
02/02/2018	For 2/2/18 RUSH SERVICE of S/C, Filing Order & Corporate Disclosure Statement upon: GEORGE P. BEACH, II (NYSP) and RICHARD P. McNALLY, Justice	\$ 190.00		Flat Fee \$ 190.00
			Process Service Total:	0.00 \$190.00
			Total Hour Amount:	0.00 \$190.00

In Reference To: NYSR&PA v. Beach, et al. (Expenses)

Date	Expenses	Rate	Quantity	Amount
Printing (PS)				
02/05/2018	90 pages	\$ 0.30	90.00	\$ 27.00
			Printing (PS) Total:	\$27.00
			Total Expenses	\$27.00
			Amount:	

Total Hour	\$ 190.00
Total Expenses	\$ 27.00
Total Invoice Amount	\$ 217.00
Previous Balance	\$ 0.00
Balance (Amount Due)	\$ 217.00

From: do_not_reply@psc.uscourts.gov
To: Kathleen McC. Baynes
Subject: Pay.gov Payment Confirmation: NEW YORK NORTHERN DISTRICT COURT
Date: Tuesday, January 15, 2019 10:30:41 AM

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Daniel McAllister at (315) 234-8505.

Account Number: 4384225
Court: NEW YORK NORTHERN DISTRICT COURT
Amount: \$505.00
Tracking Id: ANYNDC-4618401
Approval Code: 00729G
Card Number: ****-****0465
Date/Time: 01/15/2019 10:30:24 ET

NOTE: This is an automated message. Please do not reply